



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,703	11/15/2001	Byung Keun Lim	HI-0053	7192
34610	7590	08/19/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			JAIN, RAJ K	
			ART UNIT	PAPER NUMBER
			2664	

DATE MAILED: 08/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/987,703

Applicant(s)

LIM, BYUNG KEUN

Examiner

Raj Jain

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4 and 6-8 is/are rejected.
- 7) ☒ Claim(s) 2 and 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claims 1-8 examined on the merits.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Bender (US006850494B1).

Regarding claims 1, 7 and 8, Bender discloses a method and system for multicasting/broadcasting IP (see col 23 lines 2-5, Fig. 1 the base station controller 16 BSC sends a broadcast or multicast data to each base station transceiver 12) data in a mobile communication system, comprising the steps of:

- a packet data serving node (PDSN) (see Fig. 1 reference 20) receiving multicast packet data (see Figs. 1 & 2A, col 3 line 66 – col 4 line 30; each network access server receives packet data to be distributed based on header information within the packet);

- transforming the multicast packet data to a PPP frame format having an identification header (see Figs. 1 & 4, col 4 line 5, col 6 lines 16-25, the NAS

Art Unit: 2664

transforms the multicast data into a ppp format with HTTP (see Fig. 4 reference 426) header information);

- transmitting multicast message to base station controller/packet control function (BSC/PCF) (see Fig. 1, col 4 lines 25-38, the PDSN 20 transmits the packets to the base station controllers 16 in the distributed MPT network configuration as shown in Fig. 1);

- the BSC/PCF transmitting multicasting/broadcasting message to all or some of base stations under control of the BSC/PCF according to header information of the multicast message (see Fig. 1 col 4 lines 15-38, col 5 lines 24-38, the MPC 14 transmits the packets to one or more MPT within its grouping area (12A, 12B, etc.))

- and transmitting the multicasting/broadcasting message to mobile station through broadcasting channel (See Fig. 1, each MPT or base station transceiver serves one or more mobiles within its serving area and therefore transmits the message to the mobile station via its appropriate broadcast channel).

Regarding claim 3, Bender discloses adding multicasting/broadcasting identification header for multicasting/broadcasting to a terminal receiving services under IMT-2000, PCS, and cellular systems (see Figs. 1 & 4, col 4 line 5, col 6 lines 16-25, the NAS transforms the multicast data into a ppp format with HTTP (see Fig. 4 reference 426) header information. The header information added within Bender is applicable to all wireless access systems PCS and cellular.);

Art Unit: 2664

Regarding claims 4 and 6, Bender discloses the mobile station receives the multicast PPP datagram and passes the data to the higher PPP link or IP layer (see col 4 lines 5-7, part of the NAS function is to perform the PPP protocol. The Point-to-Point Protocol (PPP) is a protocol that provides Point-to-Point access and enables networking over serial lines. PPP is the protocol used by the cdma2000 wireless communication standard for communications between, for example, mobile stations and Packet Data Service Nodes (PDSNs). Layer Two Tunneling Protocol (L2TP) is a method for encapsulating standard PPP through a variety of media. L2TP also allows encapsulation of PPP using User Data Protocol (UDP) packets. L2TP supports non-IP protocols such as AppleTalk and IPX as well as LPsec Security Protocol. L2TP is implemented to provide secure, node-to-node communications in support of multiple, simultaneous tunnels in an IP-based network).

Allowable Subject Matter

Claims 2 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raj Jain whose telephone number is 571-272-3145. The examiner can normally be reached on M-F.

Art Unit: 2664

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

A handwritten signature in black ink, appearing to be 'RJ' followed by a stylized flourish.

August 17, 2005